

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE: Bard IVC Filters Products Liability
Litigation,

No. MDL 15-02641-PHX-DGC

Lisa Hyde and Mark E. Hyde, a married
couple,

No. CV-16-00893-PHX-DGC

Plaintiff,

ORDER

v.

C. R. Bard, Inc., a New Jersey corporation;
and Bard Peripheral Vascular, Inc., an
Arizona corporation,

Defendants.

The parties have submitted deposition and trial excerpts for the Court's review. This order includes the Court's ruling on objections contained in some of these excerpts. The order will identify objections by the number of the transcript page on which they appear. If more than one objection appears on a page, the order will either identify the line on which the objection starts or, if the ruling is the same for all objections on the page, will simply identify the page. Where an objection is sustained, the order will identify the page and lines that should be omitted, but if no lines are identified, the objection is sustained with respect to all designated testimony on that page.

1 A. Gin Schulz.

- 2 1. 67-68 – sustained. Rule 402 (testimony goes to duty).
- 3 2. 70 to 71:12 – overruled.
- 4 3. 72-73 – overruled.
- 5 4. 77 – overruled.
- 6 5. 124 – the Court stands by its previous ruling, except the objection to
- 7 124:18-20, which is sustained under Rule 403 because it risks confusing the
- 8 jury on the role of the FDA in the 510(k) process.
- 9 6. 125 – overruled.
- 10 7. 167 – overruled.
- 11 8. 177-78 – overruled.
- 12 9. 210-11 – overruled.
- 13 10. 217-18 – overruled.
- 14 11. 224 – sustained. Rule 403, mention of Recovery cephalad migrations
- 15 deaths.
- 16 12. 226 – no testimony designated.
- 17 13. 227 – overruled.
- 18 14. 228 – overruled.
- 19 15. 275 – no testimony designated.
- 20 16. 279 – overruled.
- 21 17. 280 – overruled.
- 22 18. 347 – overruled.
- 23 19. 385-86 – sustained. Rule 602.
- 24 20. 388 – overruled.
- 25 21. 394 – sustained.
- 26 22. 395-96 – overruled.
- 27 23. 399-400 – overruled.
- 28 24. 413-16 – overruled.

- 1 25. 431 – overruled.
- 2 26. 440:12 to 442:1 – sustained. Rule 602.
- 3 27. 444 – sustained. Rule 602.
- 4 28. 445 – overruled.
- 5 29. 446:14-21 – sustained. Rule 602.
- 6 30. 446:22 to 447:19 – overruled.
- 7 31. 448:7-8 – sustained.
- 8 32. 448:9-22 – overruled.
- 9 33. 448:23 to 444:15 – sustained. Rule 602.
- 10 34. 450 – sustained. Rule 602.
- 11 35. 451:16-21 – sustained. Rule 602.
- 12 36. 452:15-18 – sustained. Rule 602.
- 13 37. 453 to 454:14 – sustained. Rule 602.
- 14 38. 455:10-11 – overruled.
- 15 39. 456:1 to 460:24 – sustained. Rule 602.
- 16 40. 461 – overruled.
- 17 41. 468-69 – overruled.
- 18 B. Bill Altonaga.
- 19 1. 71-73:23 – sustained.
- 20 2. 87 – sustained.
- 21 3. 124 – overruled.
- 22 4. 152:6-10 – sustained.
- 23 5. 160:8 to 167:9 – sustained. Rule 602.
- 24 6. 172:12 to 180:7 – sustained. Rule 602.
- 25 7. 182:19 to 184:2 – sustained. Rule 402.
- 26 8. 251 – overruled.
- 27 9. 265-66 – the Court stands by its previous ruling.
- 28

1 C. Janet Hudnall.

- 2 1. 54 – overruled.
- 3 2. 55:16 to 56:8 – sustained. Rule 402.
- 4 3. 56:15 to 57:16 – sustained. Rule 602.
- 5 4. 101 – sustained. Rule 402.
- 6 5. 108:20-22 – sustained. Rule 402.
- 7 6. 127:11-22 – sustained. Rule 402.
- 8 7. 129 – sustained. Rule 402.
- 9 8. Page 155 not provided. Overruled.
- 10 9. 166 – sustained. Rule 402.
- 11 10. 179:21 to 180:12 – overruled.
- 12 11. 180:13-17 – sustained. Rule 402.
- 13 12. 181-82 – overruled.
- 14 13. 185 – sustained. Rule 402.
- 15 14. 186:18 to 187:2 – overruled.
- 16 15. 187 – the Court stands by its previous rulings.
- 17 16. 273-74 – overruled.
- 18 17. 296-97 – sustained. Rule 402.
- 19 18. 358 – overruled.
- 20 19. 377 – sustained. Rule 403.

21 D. William Little.

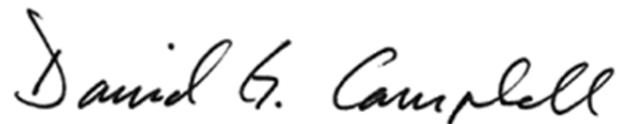
- 22 1. 46 – overruled.
- 23 2. 64 – overruled.
- 24 3. 146 – overruled.
- 25 4. 155-58 – overruled.
- 26 5. 162-63 – overruled.
- 27 6. 165 to 168 – overruled.
- 28 7. 189 – overruled.

8. 192 – overruled.
9. 193-94 – overruled.
10. 205 – overruled. Plaintiffs may seek a clarifying instruction on their lack of involvement in the Filter Law website.
11. 208 – overruled.
12. 209-10 – overruled.
13. 359 – overruled.
14. 390-92 – overruled.
15. 460:14 to 461:13 – sustained. Rule 802.
16. 460 – Court stands by its prior ruling.
17. 482 – sustained. No answer designated.
18. 483-84 – overruled.
19. 490, 500 – overruled.

E. Mary Edwards.

1. 123 – overruled.
2. 129-30 – overruled.
3. 135 – overruled.
4. 276:16 to 278:4 – sustained.

Dated this 17th day of September, 2018.



David G. Campbell
Senior United States District Judge